

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY**

D.T.E. 99-271

Respondent: David Kowolenko
Title: Director of Telecom

REQUEST: Massachusetts Department of Telecommunications and Energy

DATED: August 9, 2000

ITEM #1: DTE-M1. [Checklist Item 1] See MediaOne Supplemental Comments.
Provide documentation to support the following claims:

- A) P. 5: "MediaOne, however, did not submit the new design with the intent of forcing BA to adhere to it, but presented it as an alternative to the existing plan..."
- B) P. 5: "One BA notified MediaOne that it could not proceed forward with the revised plan, MediaOne immediately withdrew the plan and returned to the original interconnection design."
- C) P. 5: "The delay caused by the revised proposal was, at most, one month..."

REPLY 1(A)-(C):

As set forth in MediaOne's Response Comments and in the Affidavit of David Kowolenko, because of the delay in the construction of the meet point in Brockton, MA, MediaOne had the opportunity to re-evaluate the efficiency of its meet point design. On or about July 15, 1999 MediaOne submitted a revised design plan as an alternative to the original plan, which would bring the service back to MediaOne's Needham headend instead of the Brockton headend, as originally proposed. The revised plan reflected a design that, in MediaOne's opinion, was more efficient and cost effective. Although MediaOne does not have any documentation to indicate the intent of the revised design, it was created solely because of the additional time afforded to MediaOne due to the construction delay.

As reflected in internal emails, attached hereto [to Department and Bell Atlantic only], on or about August 11, 1999, MediaOne was notified by Bell Atlantic that they had identified interoperability issues surrounding the revised plan. A second internal email indicates that on or before August 31, 1999, MediaOne had notified Bell Atlantic that it would resume with the original design, and that traffic would be brought back to the Brockton headend, as originally planned. As the email trail indicates, *at most*, 20 days elapsed between the time Bell Atlantic notified MediaOne of its concerns and MediaOne's withdrawal of the revised plan.